

**MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEE
FOR PERSONAL INJURY AND DEATH CLAIMS**

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Ronald L. Motley, (1944-2013) Jodi Westbrook Flowers / Donald A. Migliori, <i>Co-Chairs</i> MOTLEY RICE LLC	Andrew J. Maloney III, <i>Co-Liaison Counsel</i> KREINDLER & KREINDLER LLP
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December 20, 2019

VIA ECF

The Honorable George B. Daniels
U.S. District Judge
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007

The Honorable Sarah Netburn
U.S. Magistrate Judge
United States District Court
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001*
Case No. 03 MDL 1570 (GBD)(SN)
Status Report

Dear Judge Daniels and Magistrate Judge Netburn:

We write as a follow-up to our letter of November 28, 2019, to update the Court on the number and scope of claims that might move for final judgment against Iran. The PEC submits this status report update on the number and scope of personal injury claims anticipated by the wrongful death/personal injury PEC at this time.

At the outset, please note that the vast majority of new motions for default will be for the estates of individuals killed on September 11, 2001 and their spouses and dependent children, who were previously denied participation in the U.S. Victims of State Sponsored Terrorism Fund. We will not be filing any motions for final judgment for injuries sustained in the aftermath of the 9/11 attacks nor any PTSD-only injuries. Also, in light of the interplay of the USVSST Fund Clarification Act and the rules issued by the Special Master for the Victims Compensation Fund II, as well as the issues that will be more fully addressed in the January 6, 2020 letter brief to the Court, we do not envision other law firms doing so, either.

Since the November 28, 2019 letter, we have reviewed our clients' files. We can now report that for clients injured on September 11, 2001 at the location of the terrorist attacks at either the Pentagon or at Ground Zero: Motley Rice anticipates filing approximately 125 personal injury

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claims; Kreindler & Kreindler anticipates filing 25 or fewer personal injury claims; and Anderson Kill anticipates filing no personal injury claims.¹

The injuries suffered on September 11, 2001 include: paraplegia, loss of limbs (fingers, hands, limbs, etc.), severe burns of skin, hair, face or lungs, multiple body fractures, traumatic brain and head injuries, broken knees, legs, arms, backs and shoulders, eye injuries, ear and hearing loss or tinnitus, lacerations, smoke inhalation, acute lung injuries, back injuries and comorbidities (many personal injury clients also suffer multiple mental health disorders, including severe and debilitating PTSD).

These approximately 150 motions will be submitted as sworn declarations and lend themselves to damages determinations by category of injury. We will continue to work on streamlining the motions for presentation and will update the Court again on January 6, 2020.

Respectfully Submitted,

By: /s/ Jodi Westbrook Flowers
JODI WESTBROOK FLOWERS
For Burnett Plaintiffs

By: /s/ James P. Kreindler
JAMES P. KREINDLER
For Ashton Plaintiffs

By: /s/ Jerry S. Goldman
JERRY S. GOLDMAN
For O'Neill Plaintiffs

¹ These numbers are our best estimates and may change.